IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2539 OF 1994

M/s. R. R. Associates... ... Petitioner.
Versus
Director General, Doordarshan & Anr... Respondents.

None present for the parties.

CORAM : SWATANTER KUMAR, C.J. &
S.C.DHARMADHIKARI, J.

DATED : 13TH JUNE, 2007.

P.C.:

This is a petition under Article 226 of the Constitution of India, wherein the Petitioner prays for direction, amongst other, to issue writ, order and direction, directing the respondents to disclose the authority by which, songs in respect of the films (1) Ladki Bholi Bhali; (2) Ek Din Adhi Raat; (3) Zeenat; (4) Waman Awatar and (5) Shahi Lutera, have been telecast by respondent no.1 and the respondents be further directed to pay the amounts found due and payable for telecast of the songs of the said films to the petitioner.

2. This petition was filed against the Doordarshan and the petitioner claims to be an assignee under the

Agreement dated 18th April, 1991 from one M/s. M. H. Enterprises in relation to T.V.Telecasting and other rights in respect of the said pictures.

3. Nobody is present on behalf of the petitioner despite the fact that this matter has been shown on the weekly board since last week. We are of the considered view that the present petition is not maintainable in view of the alternate, efficacious remedy available to the petitioner. It would have been better for the petitioner to institute appropriate proceeding for recovery of the amount. The averment made in the writ petition that the petitioner has no alternative efficacious remedy is not correct. We find no merit in the petition and the same is liable to be dismissed as not maintainable.

4. Writ petition is, accordingly, dismissed. Both parties to bear their own costs.

Sd/-

CHIEF JUSTICE

Sd/-

S.C.DHARMADHIKARI, J.